

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, AUGUST 09, 2011 - 7:00 P.M.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION REQUIRED. REGISTRATION AS A LOBBYIST IN THE CITY OF DANIA BEACH IS REQUIRED IF ANY PERSON, FIRM OR CORPORATION IS BEING PAID TO LOBBY THE COMMISSION ON ANY PETITION OR ISSUE PURSUANT TO ORDINANCE # 01-93. REGISTRATION FORMS ARE AVAILABLE IN THE CITY CLERK'S OFFICE IN THE ADMINISTRATION CENTER.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
 - B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
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1. CALL TO ORDER/ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND SPECIAL EVENT APPROVALS

- 1. Presentation - Chamber in Review - Greater Dania Beach Chamber of Commerce
- 2. Abatement request for Freddy Barnett LLC (f.k.a. Anna L. Darling) for property located at 703 SW 6 Street, Case #07-1546 (Folio #1203-34-0790)
- 3. Abatement request for Olympus Management for property located at 250 S Federal Highway, Case #09-0981 (Folio #1203-02-0100)
- 4. Special Event request from the Chamber of Commerce for Concert on the Green, to be held the first Saturday of each month, from October 1, 2011 - April 7, 2012
- 5. Special Event request from the Chamber of Commerce for "Under the Big Top" Family Festival honoring Military Veterans on November 5, 2011, from 11:00 a.m. - 3:00 p.m., at the Dania Beach Design and Marine Center located at 1200 Stirling Road
- 6. Special Event request from Bass Pro Shops for a Fall Hunting Classic, to be held Saturday & Sunday, August 13-14, 2011, from 10:00 a.m. - 4:00 p.m.

4. PROCLAMATIONS

5. CITIZEN COMMENTS

Addressing the Commission: Comments by Dania Beach citizens, or other interested parties that are not part of the regular agenda, may be made during each Commission meeting during the period set aside for "citizen comments." A thirty (30) minute "citizen comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine, on a meeting by meeting basis, whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

6. PUBLIC SAFETY REPORTS

7. CONSENT AGENDA

1. Minutes:

Approve Minutes of July 12, 2011 City Commission Meeting
Approve Minutes of July 14, 2011 Special Budget Meeting

2. Travel Requests: None

3. RESOLUTION NO. 2011-079

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ASHBRIIT, INC., A FLORIDA CORPORATION, FOR DISASTER RECOVERY SERVICES, WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2011-080

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING APPROPRIATION OF WATER FUND RESOURCES FOR CONSTRUCTION OF A MARINA WATER MAIN EXTENSION PROJECT IN AN AMOUNT NOT TO EXCEED \$15,000.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2011-081

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING CREATION OF A BEACH PIER ENTERPRISE FUND; LOAN OF INITIAL OPERATING CAPITAL FUNDS FROM THE GENERAL FUND, AND APPROVAL OF PIER ENTERPRISE BUDGET APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2011; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2011-082

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LOAN AGREEMENT RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION FOR \$840,000.00 FOR CONSTRUCTION ACTIVITIES ASSOCIATED WITH CONSTRUCTION OF INFILTRATION AND INFLOW IMPROVEMENTS; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

7. RESOLUTION NO. 2011-083

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE STORMWATER APPROVED BUDGET FOR CAPITAL PROJECTS, APPROVING AN AMENDED BUDGET FOR THE COMPLETE SOUTHEAST STORMWATER IMPROVEMENT PROJECT, AND APPROVING SUBMISSION OF A STATE REVOLVING FUND LOAN APPLICATION FOR THE SOUTHEAST PROJECT IN AN AMOUNT NOT TO EXCEED \$7,376,382.00 FOR THE COMPLETION OF THE SOUTHEAST STORMWATER DRAINAGE IMPROVEMENTS; MAKING FINDINGS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. RESOLUTION NO. 2011-084

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE APPROPRIATION OF FUNDS IN CONNECTION WITH THE MELALEUCA GARDENS WALL PROJECT IN AN AMOUNT NOT TO EXCEED \$50,000.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9. RESOLUTION NO. 2011-085

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT EXTENSION OFFERED BY STAFFING CONNECTION/ACTION LABOR MANAGEMENT, LLC, FOR AN AMOUNT NOT TO EXCEED \$78,000.00 PER YEAR TO PROVIDE SCHOOL CROSSING GUARD STAFFING SERVICES; WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. RESOLUTION NO. 2011-086

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT AMONG THE CITY OF DANIA BEACH, FLORIDA, BROWARD SHERIFF'S OFFICE AND BROWARD COUNTY, FLORIDA, RELATING TO THE DELIVERY OF FIRE PROTECTION SERVICES WITHIN THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

11. ORDINANCE NO. 2011-028

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 18-40, "DEFINITIONS" AND SECTION 18-46 "ADMINISTRATION" OF CHAPTER 18, "PENSIONS AND RETIREMENT" OF THE CITY CODE OF ORDINANCES RELATING TO THE POLICE AND FIREFIGHTERS RETIREMENT SYSTEM TO PROVIDE FOR THE IMPACT OF BECOMING A CLOSED PLAN FOR FIREFIGHTER PARTICIPANTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

8. BIDS AND REQUESTS FOR PROPOSALS

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2011-024

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE CODE OF ORDINANCES AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE IX "HISTORIC PRESERVATION" OF CHAPTER 8 "BUILDINGS" OF THE CODE OF ORDINANCES CONCERNING THE CITY'S HISTORIC MARKER AND PLAQUE PROGRAM; AMENDING ARTICLE 105 "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS" REGARDING PERMITTED ACCESSORY USES AND STRUCTURES; AMENDING ARTICLE 110 "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND PROVIDING FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE 115 "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND CONDITIONS OF USE; AMENDING ARTICLE 205 "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS" TO AMEND DEVELOPMENT STANDARDS FOR ZONING DISTRICTS; AMENDING ARTICLE 215 "SUPPLEMENTAL REGULATIONS FOR YARDS, LOT COVERAGE, IMPERVIOUS AREA AND OPEN SPACE" TO AMEND

YARD AND IMPERVIOUS AREA REGULATIONS; CREATING ARTICLE 221 "NOISE MITIGATION" TO PROVIDE FOR NOISE MITIGATION REQUIREMENTS FOR RESIDENTIAL PROPERTIES WITHIN ACCEPTED FEDERAL AVIATION ADMINISTRATION LONG-RANGE NOISE EXPOSURE AREAS; AMENDING ARTICLE 265 "OFF-STREET PARKING REQUIREMENTS" TO AMEND PARKING REQUIREMENTS FOR PROPERTIES WITHIN THE DESIGN DISTRICT OVERLAY; CREATING ARTICLE 295 "VOLUNTARY MOBILITY PROGRAM" IN ORDER TO PROVIDE FOR A MOBILITY PROGRAM TO MANAGE VEHICULAR TRAFFIC DEMAND AND SUPPORT MULTIMODAL TRANSIT; AMENDING ARTICLE 303 "DISTRICT DEVELOPMENT STANDARDS" TO AMEND DENSITY AND DEVELOPMENT STANDARDS FOR THE CITY CENTER ZONING DISTRICT; CREATING ARTICLE 330 "COMMUNITY FACILITIES (CF) DISTRICT" TO ESTABLISH THE COMMUNITY FACILITIES ZONING DISTRICT; AMENDING ARTICLE 505 "SIGN REGULATIONS" CONCERNING REGULATIONS OF TRANSIT-RELATED SIGNAGE; AMENDING ARTICLE 605 "GENERAL APPLICATION REQUIREMENTS" TO IMPLEMENT THE VOLUNTARY MOBILITY PROGRAM; AMENDING ARTICLE 610 "PUBLIC HEARING NOTICES" TO PROVIDE FOR AMENDMENTS TO PUBLIC NOTICE MAILING REQUIREMENTS FOR DEVELOPMENT APPLICATIONS; AMENDING ARTICLE 655 "VACATIONS OF RIGHT-OF-WAY" TO AMEND THE PROCEDURES FOR RIGHT-OF-WAY VACATIONS; AMENDING ARTICLE 725 "DEFINITIONS" TO AMEND DEFINITIONS RELATED TO MOBILITY PROGRAM, DENSITY AND PERMITTED USES; PROVIDING FOR AMENDMENTS THROUGHOUT THE LAND DEVELOPMENT CODE TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

2. ORDINANCE NO. 2011-025

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE REQUEST MADE BY ALEX NICHOLS, PROPERTY OWNER, TO REZONE PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SW 31ST STREET AND SW 26TH TERRACE (TRAM ROAD), SOUTH OF STATE ROAD 84 IN THE CITY OF DANIA BEACH, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM RESIDENTIAL SINGLE FAMILY (RS-6000) TO INDUSTRIAL RESEARCH OFFICE MARINE - AIRPORT APPROACH (IROM-AA), SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

3. ORDINANCE NO. 2011-026

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH,

FLORIDA, AMENDING SECTIONS 13-68 ENTITLED "DEFINITIONS" AND 13-74, ENTITLED "GARBAGE COLLECTION BY PRIVATE HAULERS, PERMITS REQUIRED", BY AMENDING PARAGRAPH 2 ENTITLED "FRANCHISE FEE REQUIRED" AND PARAGRAPH 5, OF ARTICLE IV, ENTITLED "GARBAGE AND TRASH" OF THE CITY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

4. ORDINANCE NO. 2011-027

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REPEALING SECTION 2-12 IN ITS ENTIRETY, ENTITLED "ISSUANCE OF PROMISSORY OBLIGATIONS", OF ARTICLE I, ENTITLED "IN GENERAL" OF CHAPTER 2, ENTITLED "ADMINISTRATION" AND CREATING A NEW SECTION 2-12 OF ARTICLE 1 TO BE ENTITLED "DEBT MANAGEMENT POLICY"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

5. RESOLUTION NO. 2011-076

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY TAMARA PEACOCK, CONSULTANT REPRESENTING ANGELA M. KELSEY OF PORT 5 LTD., FOR AN EXTENSION OF THE SITE PLAN (SP-03-01) GRANTED BY RESOLUTION NO. 2001-061, AND VARIANCE (VA-18-01) GRANTED BY RESOLUTION NO. 2001-060, FOR PROPERTY LOCATED AT 2150 NW 7th AVENUE (SOUTH OF HERTZ RENTAL CAR AND EAST OF THE FT LAUDERDALE INTERNATIONAL AIRPORT) IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2011-077

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST SUBMITTED BY LAZARO MONTEAGUDO ON BEHALF OF HH OAKS LLC, FOR PROPERTY LOCATED AT 2828 HIDDEN HARBOUR COURT IN DANIA BEACH (REQUEST IS FOR A MODIFICATION TO SITE PLAN (SP-05-03) APPROVED BY RESOLUTION 2003-046 ON MARCH 25, 2003, AS PER CONDITION "C-4"); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7. RESOLUTION NO. 2011-078

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST SUBMITTED BY JOHN BARTLEY, REPRESENTING THE PROPERTY OWNER, DAN'S DEALS ON WHEELS AUTO

TRANSPORT AND SALE, LLC, FOR A SPECIAL EXCEPTION USE TO ALLOW OUTDOOR VEHICLE STORAGE ON PROPERTY LOCATED AT 4601 SW 44TH AVENUE IN DANIA BEACH, FLORIDA, LOCATED IN AN INDUSTRIAL GENERAL ("I-G") ZONING DISTRICT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. DISCUSSION AND POSSIBLE ACTION

11. COMMISSION COMMENTS

- 11.1 Commissioner Castro
- 11.2 Commissioner Duke
- 11.3 Commissioner McElyea
- 11.4 Vice-Mayor Grace
- 11.5 Mayor Flury

12. APPOINTMENTS

- 1. Marine Advisory Board
 - Commissioner Duke - 1 appointment
 - Commissioner McElyea - 1 appointment

13. ADMINISTRATIVE REPORTS

- 13.1 City Manager
- 13.2 City Attorney
- 13.3 City Clerk - Reminders

Tuesday, August 23, 2011 - 7:00 p.m.	City Commission Meeting
Wednesday, September 7, 2011 - 6:00 p.m.	CRA Board Meeting
Tuesday, September 13, 2011 - 7:00 p.m.	City Commission Meeting
Wednesday, September 14, 2011 - 7:00 p.m.	First Public Hearing FY 11/12 Budget
Thursday, September 15, 2011 - 6:00 p.m.	Abatement Hearing
Monday, September 26, 2011 - 7:00 p.m.	Second Public Hearing FY 11/12 Budget
Tuesday, September 27, 2011 - 7:00 p.m.	City Commission Meeting

14. ADJOURNMENT